

RESOLUTION NO. 28411

A RESOLUTION AUTHORIZING TYLER GRAY, PROPERTY OWNER, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ON THE EAST SIDE OF TENNESSEE AVENUE IN FRONT OF THE PROPERTY LOCATED AT 3924 TENNESSEE AVENUE TO INSTALL OUTDOOR DINING, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That TYLER GRAY, PROPERTY OWNER, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located on the East Side of Tennessee Avenue in front of the property located at 3924 Tennessee Avenue to install outdoor dining, as shown on the maps attached hereto and made a part hereof by reference.

BE IT FURTHER RESOLVED, That said temporary usage shall be subject to the following conditions:

1. Temporary User may execute the Indemnification Agreement prior to the granting of a temporary use by the City Council provided that any obligation to Indemnify and hold the City of Chattanooga, its officers, agents and employees harmless for any claims for damages for injuries to persons or property shall be void if the Temporary Use is not granted to applicant by the Chattanooga City Council. Temporary User agrees to comply with all terms and conditions of the Indemnification Agreement in the event a temporary use is granted by the City Council.

2. Temporary User agrees to vacate the property and temporary use upon reasonable notice from the City to do so.

3. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

4. Temporary User shall obtain necessary permits and approvals from the City of Chattanooga Land Development Office.

5. Any items (tables, chairs, railings, etc.) placed along the building and right-of-way must comply with ADA Standards and minimum clearances for pedestrian traffic within said right-of-way.

6. Any objects within the right-of-way must maintain a four (4) foot minimum clearance behind the pedestrian ramp and a six (6) foot minimum clearance from the street furniture to the back or curb.

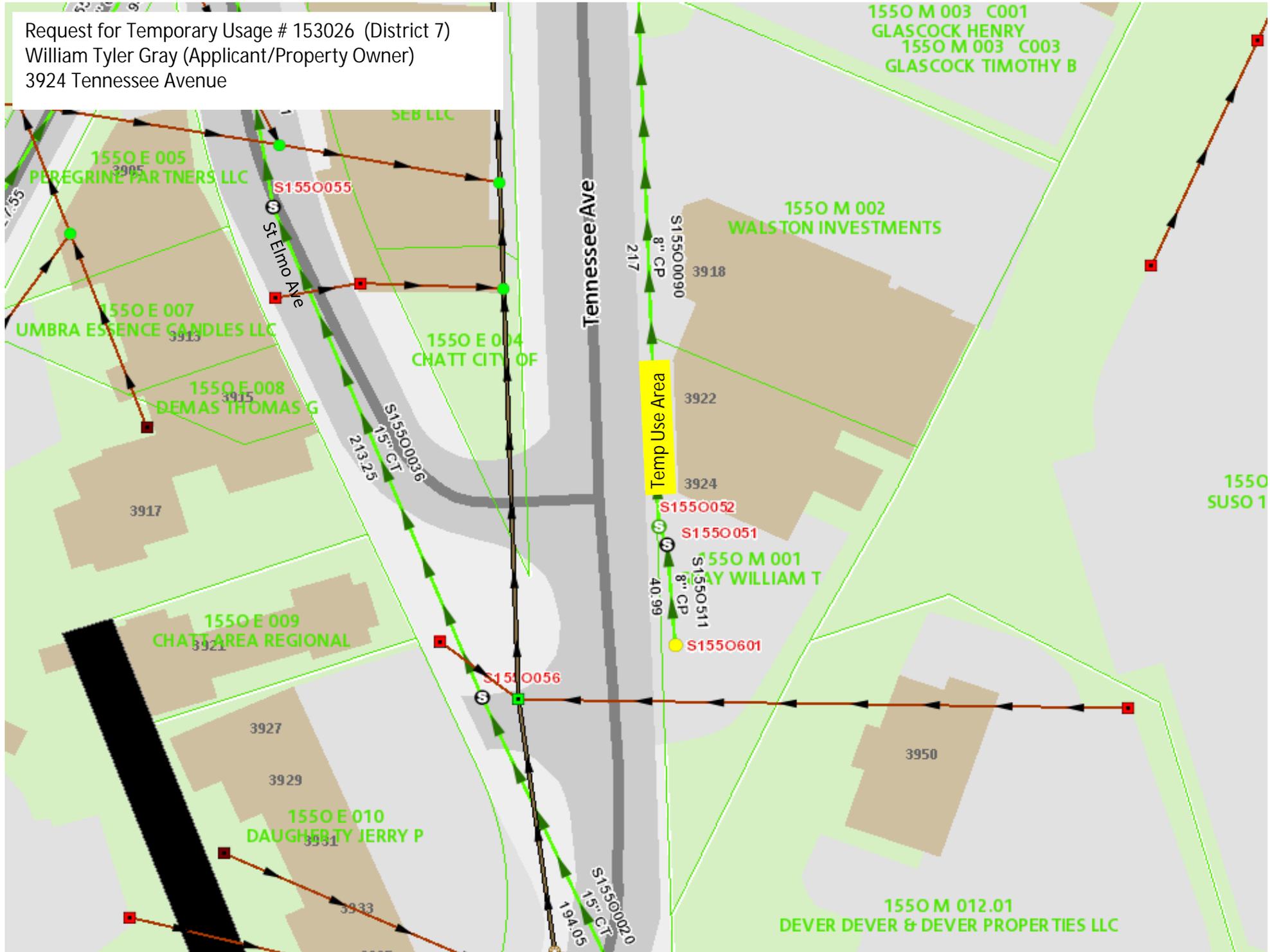
7. Any overhead projecting objects must meet the minimum height requirements as per the City of Chattanooga's Codes and Standards.

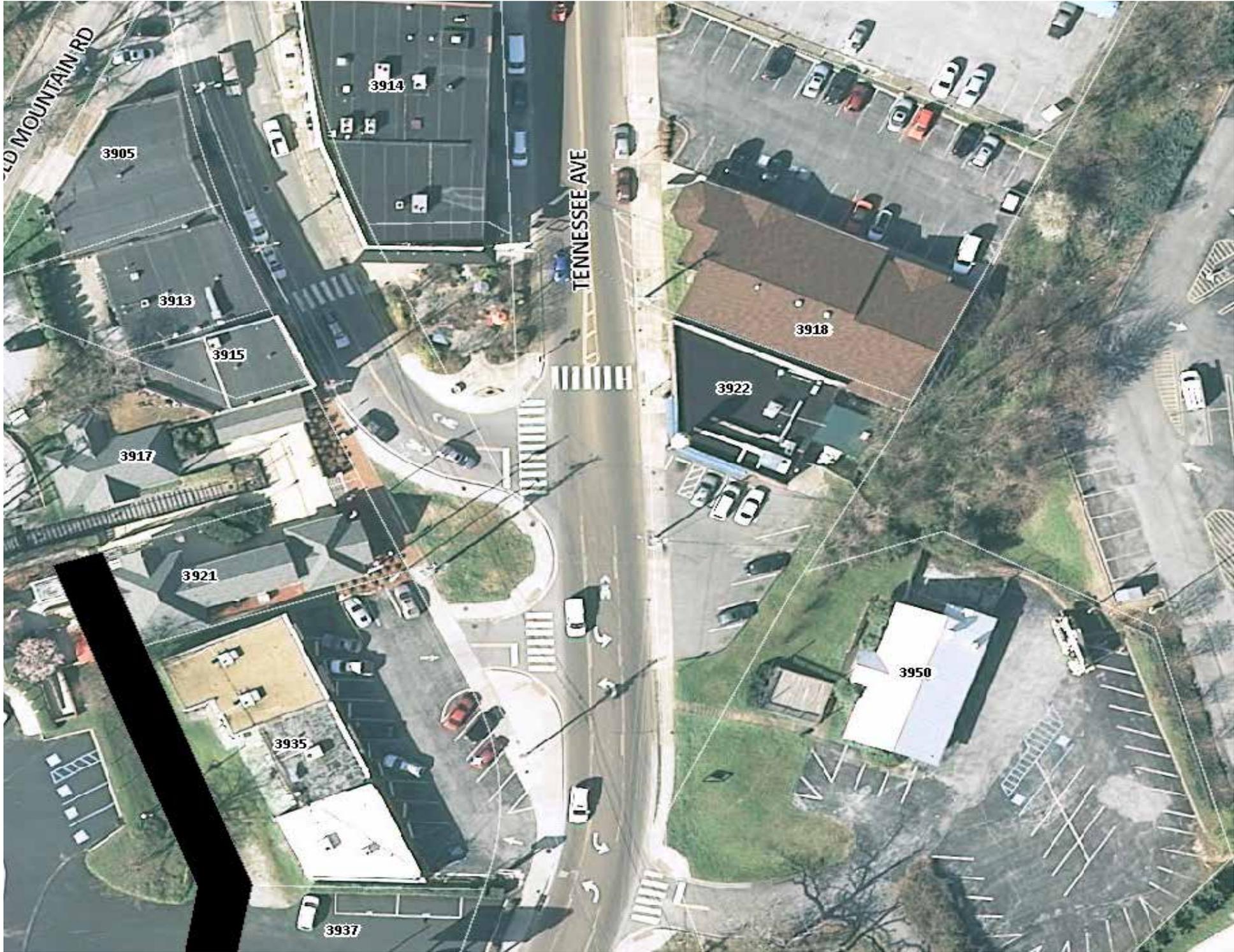
8. Temporary User shall provide adequate access for maintenance of any utilities located within the easement, is responsible for verifying all utility locations within the subject area prior to initiating the agreed usage, as well as the protection of said utilities for the duration of this permit.

ADOPTED: September 29, 2015

/mem

Request for Temporary Usage # 153026 (District 7)  
William Tyler Gray (Applicant/Property Owner)  
3924 Tennessee Avenue





# 3924 Tennessee Ave. Mr. T's Temp Use Diagram

